

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSE SANCHEZ, ISMAEL RAMOS
CONTRERAS, and ERNEST GRIMES, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

UNITED STATES OFFICE OF BORDER
PATROL, UNITED STATES CUSTOMS
& BORDER PROTECTION,
DEPARTMENT OF HOMELAND
SECURITY; JOHN C. BATES, Chief
Patrol Agent, Blaine Sector of the United
States Border Patrol, in his official
capacity; JANET NAPOLITANO,
Secretary, Department of Homeland
Security, in her official capacity; DAVID
AGUILAR, Acting Commissioner, United
States Customs & Border Protection, in his
official capacity; MICHAEL J. FISHER,
Chief of the United States Border Patrol, in
his official capacity; and JAY CUMBOW,
Agent in Charge for the Port Angeles
Office of the Olympic Peninsula of the
United States Border Patrol, in his official
capacity,

Defendants.

No. 3:12-CV-05378 BHS

JOINT STATUS REPORT

1 Plaintiffs Jose Sanchez, Ismael Ramos Contreras, and Ernest Grimes (collectively,
2 “Plaintiffs”) and defendants United States Office of Border Patrol, United States Customs &
3 Border Protection, Department of Homeland Security (“DHS”), John C. Bates, Janet Napolitano,
4 Thomas Winkowski,¹ Michael J. Fisher, and Jay Cumbow (collectively, “Defendants”) jointly
5 and respectfully submit this Joint Status Report.
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10 On June 24, 2013, the Court entered an Order on stipulation extending the stay of all
11 activity in this matter until August 21, 2013, and requiring the parties to submit a joint status
12 report on or before August 21 as to whether the parties were successful in achieving a settlement.
13 Dkt. No. 53. The parties have now drafted a settlement agreement and are in the final stages of
14 obtaining approval of the settlement from the Department of Justice. The parties anticipate
15 finalizing and executing the agreement within the next two weeks, and filing dismissal
16 paperwork immediately thereafter. Because dismissal of this action is certain and will occur in
17 the near future, the parties do not believe a further extension of the stay is necessary at this time.
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49 ¹ Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Thomas Winkowski, the Acting
50 Commissioner of CBP, has been substituted as defendant in place of his predecessor, David Aguilar.
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2 DATED: August 21, 2013
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/s/ Nicholas P. Gellert
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Attorneys for Plaintiffs

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4 DATED: August 21, 2013
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/s/ Timothy Belsan

Timothy Belsan
United States Department of Justice
Office of Immigration Litigation
District Court Section
Ben Franklin Station, P.O. Box 868
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Seattle, WA 98101-1271

Attorneys for Defendants

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3 **CERTIFICATE OF SERVICE**
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5 On this 21st day of August, 2013, I caused to be served upon the following, at the
6 addresses stated below, via the method of service indicated, a true and correct copy of the
7 foregoing document to the individuals below:
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10
11 Nicholas P. Gellert
12 Brendan J. Peters
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14 Steven D. Merriman
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31 DATED at Seattle, Washington, this 21st day of August, 2013.
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34
35 /s/ Sharon Gore
36 Sharon Gore
37 Office of the United States Attorney
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